

CLOSING ARGUMENTS ON HOUSE BILL 83 PROCEEDINGS TODAY

Opening arguments on an alternative writ of mandamus issued by the state supreme court last week against Ernest R. Hall, secretary of state, and citing him to show cause why he had not called a special election as provided in "house bill 83," were heard by the supreme court yesterday afternoon. Closing arguments will be made today, it is expected.

A voluminous answer to the citation was filed by attorneys representing the secretary of state Monday morning. In order that plaintiffs' attorneys might have opportunity to review the document, the judges continued the hour for starting opening arguments until 1:30 o'clock in the afternoon.

Another feature of the day's proceedings in the supreme court was a request from Sam H. Kyle, a Phoenix attorney, formerly of Bisbee, to intervene on behalf of the secretary of state. His petition to intervene was denied but the court announced it would allow him to present his phase of the case.

Kyle's motion to intervene hinges primarily on the issue of his ineligibility to vote at such a special election if it be called November 8, as proposed. He points out that he is not registered in Maricopa county, although he was a qualified and registered voter in Cochise county for more than five years prior to 1920. Early Monday morning, the petitioner sets forth, he appeared before Edith M. Jacobs, county recorder of Maricopa county, and requested that he be registered. He was denied registration, he says, on the ground that the great register closed before the general election of last year and, under the law, cannot be opened until May 15, 1922 unless a registration be called by the board of supervisors.

In his answer to the citation, Secretary of State Hall declares that house bill 83, as passed and approved by the governor, was never entered on the journal of the house together with the ayes and nays vote thereon. He denies that it was ever entered on the senate journal with the aye and nay vote, in compliance with the requirements of the constitution that such measures be so entered, as a preliminary action, before he could submit them to a vote of the people. He further claims that sections 2, 3 and 4 of the bill are legislative in character and therefore are subject to the referendum and that a referendum was filed against section 4, which section referred to the special election and attempted to amend the general election was, and he says that such an amendment is unconstitutional in that the constitution says that no act or part of an act can be amended by mere reference to the act, but the act, as amended, must be set out in full.

The answer, a 26-page document, also goes into some detail regarding the matter of mailing pamphlets to registered voters. There are no funds now available for such expense, he declares. The suit was brought by W. P. Clements to enforce the secretary of state to call a special election on Nov. 8, as provided in house bill 83. The bill has to do with issuance of state bonds to be exchanged for bonds of irrigation districts. The law firm of Alexander and Christy and E. S. Clark represent the plaintiff, with John L. Gust, Walter Bennett and Will E. Ryan appearing for the defendant secretary of state. Opening arguments were made yesterday by Mr. Christy for the plaintiff and Ryan and Gust for the defendant.

FURNITURE SELLS HIGH
LONDON.—The highly lacquered Chippendale furniture of the Duke of Beaufort has been sold for \$176,715. Four chairs and two settees brought \$16,000.

**"Say It With
DIAMONDS"**
MACK GARDNER
45 North Central
King of Diamonds

An Invitation
to view our displays
of beautiful
CUT FLOWERS
and Potted Plants
this evening, 8 to 9:30
Flowers Free to Ladies

Donofrio Floral Co.
28 North First Street
Phone 1776 Chas. Morton
Manager



TELLS FRIENDS OF RECENT ACTIVITIES

LeRoy C. Snow, former secretary to the state historian, has written a book in Phoenix of manifold activities since leaving this city. He was one of the officers of a boy scout caravan from Salt Lake, of 500 lads, that explored the Yellowstone Park, traveling in automobile trucks. More than 1,000 miles were covered on the trip, which consumed 12 days. At the head of the expedition was Oscar A. Kirkham, western executive officer of the Boy Scouts organization.

Later Mr. Snow made a wonderfully interesting trip in company with President Heber J. Grant of the Mormon church, visiting by auto the scenic regions of southern Utah and the Arizona Strip, to a point where, on the northern rim of Grand Canyon, the party looked over on El Tovar beyond which, to the southward, rose the bulk of the San Francisco mountains. Thence, the way was through the great Kaibab forest and the historic localities of Pipe Springs, St. George, the Santa Clara settlements, where the noted Jacob Hamblin once lived, and the settlements of the Muddy and Virgin, which belonged within Arizona territory, which congress gave them to Nevada.

It is noteworthy, that the trip, to a degree, was a reconnaissance that may lead to the building of a branch of the Union Pacific railroad through St. George and a great virgin forest to a new scenic resort to be built on the northern rim of the Canyon. To challenge the Santa Fe's supremacy as the only railroad route that now reaches the great gorge, the Union Pacific lately purchased the Salt Lake and Los Angeles railroads, and hence is the better prepared for possible development of the almost unsettled, though naturally rich, region that lies between the Grand Canyon and the southern line of the state of Utah.

DRAW ACTION TAKEN UNDER ADVISEMENT

Following a hearing yesterday morning, Judge Stanford took under advisement the petition of William B. Rowlands asking for a permanent injunction to restrain Governor Campbell, State Treasurer Earhart and State Auditor Fairchild, as members of the state loan board; the state treasurer, the secretary of state and the state auditor, from paying or issuing warrants from the state general fund for the interest due on \$247,400 of loans made to persons in Apache county in the Lyman dam project, using as their authority an act known as senate bill No. 165 passed by the last legislature, which authorizes the loan board to remit the interest due on the loans until the year 1925. Rowlands alleges the defendants, unless restrained, will draw and pay warrants against the general state fund for the interest due on \$247,400 of loans made to persons in Apache county in the Lyman dam project, using as their authority an act known as senate bill No. 165 passed by the last legislature, which authorizes the loan board to remit the interest due on the loans until the year 1925. Rowlands declares the act is unconstitutional because it extends privileges to a certain class of people and corporations without granting the same to the people as a whole. Rowlands was represented by Attorneys Baker and Whitney and the state officials by Judge Ernest Lewis, acting for the attorney general's office.

DRAW TRIAL JURORS FOR DIVISION ONE

The panel of 75 trial jurors for Division No. 1 of the superior court, Judge Stanford presiding, was drawn yesterday afternoon for service beginning Thursday morning, October 13, at 9:30 o'clock. The jurors are drawn for the last quarter and will draw \$4.50 a day for each day they serve. The men drawn are asked to report to the sheriff's office at once, phone 4250. The list of jurors drawn are as follows:
J. R. Bailey, J. J. Elliott, L. O. Du Ross, C. E. Hemphry, A. E. Harp, James J. Steffler, A. F. Jones, C. H.

Dunlap, William H. Reed, R. O. Myers, Arthur B. Anderson, John Ralston, Simon P. Healey, John T. Bates, Uriah Smith, F. G. Payton, Jos. H. Wells, J. H. Miller, Lane L. Meeker, W. R. Trent, R. G. Bauer, D. J. Peter, S. H. Hall, Thomas A. Batte, Harry E. Russell, W. P. Menley, Jr., Arthur M. Otero, C. D. Robinson, Homer K. Flitton, Joe Porter, C. D. Adair, William B. Long, J. Delbert Jones, Harry Rodgers, W. J. Dodd, E. C. Lloyd, Solomon Sapia, M. G. Adams, J. J. Sladish, S. D. Stevens, A. J. Giles, A. B. Cruckwell, J. D. Attaway, Anders Mortensen, J. C. Bohons, W. E. Wait, D. W. Reed, Leo Smith, W. L. White, R. C. Elliott, A. P. Hall, J. S. Rawson, Charles H. Merritt, Henry W. Ulmo, C. H. Valentine, E. D. Dayton, Guy W. Anderson, C. S. Feldman, John W. Alsap, Joseph McLaughlin, August B. Hanson, H. A. Smith, Arthur Cowley, J. Garnett Holmes, R. L. Brown, Frank V. Cowen, W. D. Fulwiler, H. P. Poole, Harry Curry, Evan Griffiths, J. P. Ludlam, Raymond G. Crawford, Leonard Vance, L. H. Valentine, R. E. Foster.

COMMERCIAL STRATEGY
"Ike," said the proprietor of the bazaar house, "stand out in front and advertise our fire sale."
"What do you want me to do?"
"Yell 'fire!' as loud as you can and add 'Sale' in a whisper. You'll soon draw a crowd."—Birmingham Age-Herald.

IGNORANCE OF ARMY ORDERS HIS UNDOING

"What are the general orders?"
"I—I don't know."
"Then you are under arrest."

City Detective Lucy addressed this question and order to Le Roy Roberts in a local jewelry store when Roberts was attempting to cash a government check for \$633.05. The question resulted from an assertion by Roberts that he was a veteran of the late war, and the check was compensation sent to him by the war department. The check was made payable to Henry Harrison.

After being questioned at police headquarters yesterday Roberts is said to have confessed that he had stolen the check from the mail while employed as a clerk in Whipple Barracks sub-station of the Prescott postoffice.

SHRINE NOBLES TO MEET THIS EVENING

One of the biggest meetings in months of nobles of El Zarahib temple of the Mystic Shrine will be held at 8 o'clock tonight at the Shrine auditorium. It will be another open house affair, with a big feed for chief feature.

It was announced last night that the feed will be prepared by Noble Leo M. Hoghe. The "piece de resistance," a young veal, has been provided by Noble Harry Kay, while Noble Dietz has supplied Ben Hur coffee.

The Shrine Chanters are on the program for the meeting, and cards also will furnish amusement. The coming Shrine minstrel show and the great fall ceremonial in November will be topics for discussion.

FINGER PRINTS A FACTOR IN HEARING

Finger prints, according to reports from Safford yesterday, played an important part in the preliminary hearing of Lloyd Evans, Ed Lee and "Burton" Evans, charged with assault with a deadly weapon with intent to commit murder, in connection with the shooting Thursday of Deputy Sheriff S. I. Alfred of Safford during a raid on a still. They were held in answer to the superior court under bonds of \$5000 each.

The two Evans, Lee, Buck Cash and George Campbell also were held to answer on a charge of manufacturing intoxicating liquor, under bonds of \$1000 each. Floyd Campbell, 17-year-old son of George Campbell, was turned over to the juvenile court.

According to the report, finger prints taken by James F. McDonald from quart jars near the still where the shooting occurred were introduced as evidence in the case. Alfred was shot in the leg with a revolver bullet as the officers approached the still, the bullet shattering the bone. The men were arrested later by Sheriff J. D. Skaggs of Graham county. Alfred will recover.

**Fashionable
Tailoring
For
Ladies and Gents**

We beat the world in fit, workmanship and prices. I have been a designer in the largest houses in New York city for the past 27 years and give you the value of my wide experience.

**Latest Fashions and Best Woolens
Marketed**

We do all kinds of fine remodeling at reasonable prices.

S. SCHWARTZ
Ladies' and Gents' Tailor 31 N. 2nd Ave.



The Most Outstanding Values Of the Year Will Be Featured IN THE DEMONSTRATION OF LOWER PRICES AS OUR CONTRIBUTION TO THE



FALL FASHION SHOW

We Do Not Expect To Make Money On
Our Fall Dresses

They Are Marked Too Low for That!

A black Canton crepe street dress, trimmed with shoe-string braid, panel effect skirt, new bishop sleeve, Jennie neck. \$49.50 value. Now..... **\$24.95**

A brown kitten ear satin dress, trimmed with ribbon rosettes of blue, tucked and scalloped bottom, new bishop sleeve. Sold for \$35.00. **\$17.50** Now.....

A Navy Blue Tricotine Coat Dress. Trimmed with real leather, silk cord belt, 3-4 length sleeve, a \$39.50 value. **\$19.50** for.....

Here is another in black Canton Crepe—trimmed with crystal beads—streamer effect—shoe shine ribbons. A \$35.00 value.... **\$15.00**
A Street Dress of beautiful Poiret. **\$22.50** Now.....

Exceptional Values in FALL MILLINERY

Special purchase of very exceptional values for this event, every hat being of far higher worth. And when one knows there are hats of duvetyne, panne, silk velvet and combination metallic and novelty gold and silver cloths they will know the right price at which they would sell ordinarily. There are large rolls, droops, close-fitting turbans, odd draped and blocked models, with trimmings as diversified as the hats themselves. Models that are softly becoming to women and young women.

Priced within the reach of everyone—
\$1.95, \$3.50, \$4.95, \$5.95

Also one of navy blue velvet and is very charming with left side slashed and brimless; soft draping extends over crown and is looped through right brim into sash. Now..... **\$6.50**

Hatter's Plush Hats—Smart, trim and neat are these tailored hats. Always becoming and appropriate for so many purposes, it is real economy to own one. Wide and narrow brims. Black and colors. **\$1.55**

Here is a stunning turban of panne velvet with dome crown; narrow brim of brown bagatelle ribbon ending in points; large bronze pin ornament. At only..... **\$7.50**

Our \$10.00 assortment of beautiful trimmed hats will be offered at 1/2 off. They are of black and taupe panne velvet, ostrich and feather trimmed, large and small shapes. Your choice at..... **\$5.00**

An Assortment of Pretty Sweaters

Smart as can be for school wear. Just at the time when they are needed. We offer them at these low prices. They are woolen and in all colors. Prices range from

\$3.50 TO \$6.50

HOUSE DRESSES
Extraordinary values, regular \$2.95 and \$3.50 values, now selling for **95c AND \$1.50**

**New Fall
Blouses**
Heavy quality Georgette, embroidered, beaded or yarn trimmed. Long and short sleeves. All new fall shades. These are truly wonderful values.

**Beautiful
Wool Skirts**
New Wool Skirts in Velour, French Serge and Tweeds are to be sold for less than cost. You will find them pleated and plain and a wonderful assortment of colors.

\$1.95 up **\$4.95 to \$9.50**

Sparkling Style in Every One' of the New Fall Suits and Coats

A Brown Duvetyne Suit with large collar. Button and Chinese trimmed. Handsome buckle belt. A \$98.50 value. **\$25** Now.....

A Navy Blue Tricotine Suit. Embroidered and button trimmed, bell sleeve, box model, large pockets, square collar. Was \$75.00. Now..... **\$25**

A Taupe shade of Velour de Lane. It is embroidered and fur trimmed with box jacket and silk lined. Sold for \$50.00. **\$25** Now.....

We have so many other suits that we can't begin to describe them in this ad. They range in price from

\$10 TO \$59.50

A Salt's Equimette Black Plush Coat, Dolman style, long length, trimmed with fringe, satin lops, cape collar, fancy silk lining. Sold for \$60. Now..... **\$30**

Would you like a mole cloth in three-quarter length? It has a loose belt and bell cuffs, fare back. Was \$49.50. **\$19.50** Now.....

This is one a little different. It's a Bolivia in new Jade shade, embroidered designs, long cloth, new loose sleeves. A regular \$29.50 value. **\$17.50** Now.....

We have 200 others to select from! You will find them in all the wanted shades, materials and styles. Prices range from **\$12.50 to \$65.00**. Select your new coat now.

Southwestern Mercantile Company

114 EAST WASHINGTON STREET

**Flannel
Sport Middys**
In red, green, tan and dark blue—just the thing for school wear. All sizes. Specially priced at **\$3.50 AND \$3.95**

**Pretty
Kimonos**
Of fancy, figured and changeable silk, large Japanese sleeves. **\$8.50 AND \$10.00**
Japanese Crepe Kimonos, many light colors. Special values..... **\$2.50**